IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22627 of 2004

Between:

M/s. Somanadri Junior College, Gadwal, Bheemnagar,
Mahaboobnagar District, rep. by its Principal.
Sri M. Bhasker Reddy, S/o. Shiva Reddy.

..... PETITIONER

AND

The Assistant P.F. Commissioner, O/o. Regional P.F. Commissioner,
Barkatpura, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction preferably a writ in the nature of Mandamus declaring that the proceedings order No. AP/34265/ENF. CIR.I.5/Z-17/2004/711, DT. 31.8.2004 PASSED U/S. 7A OF the Act by the respondent and the consequential Order No.AP/34265/ENF. CIR.I./Z-17-5-17/2004/921, dt. 29.10.2004 passed U/s. 7B of the Act determining an amount of Rs. 28,271/- relating to the period from 7/2003 to 5/2004 passed by the respondent as illegal, arbitrary and unsustainable under law.

Counsel for the Petitioner: MR.N.VENKATRAMA REDDY

Counsel for the Respondent.: MR.R.N.REDDY

The Court, at the stage of admission, made the following:

ORAL ORDER:

Heard the learned counsel on either side.

The order dated 31.8.2004, passed by the respondent under Section 7A of the Employees' Provident Fund & Miscellaneous Act, 1952 (for short 'the Act'), is assailed in this writ petition.

Through the impugned order, the respondent determined a sum of Rs.28,271/- towards dues from the petitioner-college for the period from July, 2003 to May, 2004 and accordingly directed the petitioner to pay the said amount within 10 days, duly reducing the amount which was already paid, if any, out of the above assessed amount on receipt of the said order.

It is agreed by both the counsel that against the impugned

orders dated 31.8.2004, an appeal lies under Section 7 (I) of the Act, before the appropriate authority constituted thereunder.

Having regard to the submission made by both the counsel, the writ petition is disposed of directing the petitioner to file an appeal under Section 7 (I) of the Act, within four weeks from the date of receipt of a copy of this order. Till such time, the respondent is directed not to take any coercive steps against the petitioner. No order as to costs.

8.12.2004

CVM

To

1. The Assistant P.F. Commissioner, O/o. Regional P.F. Commissioner,
   Barkatpura, Hyderabad.

2.2CD copies